

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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THEODORE J. FOLKMAN,

Plaintiff,

v.

U.S. DEPARTMENT OF STATE,

Defendant.

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Civil No. 1:13-cv-10614-RWZ

**GOVERNMENT’S MOTION TO RE-SET SCHEDULING CONFERENCE**

The government requests that the Scheduling Conference be re-set from August 20, 2013, to after September 30, 2013. The government has, on this day, filed an Unopposed Motion for Extension To Produce Vaughn Index, requesting a new deadline of September 30, 2013. At that time, the government will have completed its additional search of documents, and its production of documents or determined that it has no documents responsive to Folkman’s request. See Declaration of Sheryl L. Walter, attached to the Government’s Unopposed Motion for Extension to Produce Vaughn Index. The government’s response will determine whether the action is moot and, if not, what ongoing discovery may be necessary and what motions may be appropriate. At this time, it is not possible to make those determinations. Accordingly, a scheduling conference on September 20 will not be productive and will waste the resources of the Court and the parties.

Accordingly, the government requests that the scheduling conference be set for after September 30, 2013, at which time the parties will know what, if anything, the

parties need to accomplish on the case and what pleadings may be necessary.

Respectfully submitted,

CARMEN M. ORTIZ  
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/s/ Anita Johnson  
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Certificate of Service and Rule 7.1 Conference

I certify that the foregoing will be filed through the ECF system of the Court, which system will serve Plaintiff Pro Se electronically, and that I conferred with said Plaintiff regarding the foregoing, both on this 16<sup>th</sup> day of August 2013.

/s/ Anita Johnson